

# HOUSE BILL No. 1371

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-4-501.5.

**Synopsis:** Owen County zoning public question. Allows the county executive of Owen County to place a local public question on the ballot concerning adoption of a comprehensive plan. Provides that if a majority of the votes cast on the local public question is in favor of adopting a comprehensive plan, the county executive must adopt a comprehensive plan not later than one year after the date of the election. Provides that if a majority of the votes cast on the local public question is not in favor of adopting the comprehensive plan, another public question may not be held in the county for two years after the date of the election.

**Effective:** July 1, 2005.

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January 13, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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## HOUSE BILL No. 1371

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A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-7-4-501.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2005]: **Sec. 501.5. (a) This section applies to**  
4 **a county having a population of more than twenty-one thousand**  
5 **seven hundred seventy-five (21,775) but less than twenty-one**  
6 **thousand eight hundred (21,800).**

7       **(b) A county executive may adopt a resolution to place a local**  
8 **public question on the ballot concerning the adoption of a**  
9 **comprehensive plan by the county executive. If a resolution is**  
10 **adopted under this section, the county election board shall place**  
11 **the following question on the ballot in accordance with IC 3-10-9**  
12 **during the next general or primary election for which the question**  
13 **may be certified under IC 3-10-9-3:**

14       **"Shall the (insert name of the county) adopt a comprehensive**  
15 **plan?".**

16       **(c) The county election board shall place the local public**  
17 **question on the ballot during the next general election or primary**



1 election in the county. The circuit court clerk of a county holding  
2 an election under this section shall certify the results of the voting  
3 on the local public question to the county executive of the county.

4 (d) If a majority of the votes cast on the local public question in  
5 an election under this section is not in favor of the adopting a  
6 comprehensive plan, another local public question may not be held  
7 under this section for two (2) years after the date of the election.

8 (e) If a majority of the votes cast on the local public question are  
9 in favor of adopting a comprehensive plan, the county executive  
10 shall adopt a comprehensive plan not later than one (1) year after  
11 the date of the election.

12 (f) Nothing in this section requires a county executive to conduct  
13 a local public question under this section before adopting a  
14 comprehensive plan.

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